

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

**Hearing Date: August 12, 2021**  
**Hearing Time: 10:00 am**

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In re	:	Chapter 11
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PURDUE PHARMA L.P., <i>et al.</i> ,	:	Case No. 19-23649 (RDD)
	:	
Debtors.	:	Jointly Administered
	:	
.....	X	

**OBJECTION OF INDEPENDENT EMERGENCY ROOM PHYSICIAN, DR.  
MICHAEL MASIOWSKI, INDIVIDUALLY, AND AS PUTATIVE CLASS  
REPRESENTATIVE TO HOSPITAL TRUST TENDER OF TESTIMONY AT  
CONFIRMATION HEARING REGARDING DR. MICHAEL MASIOWSKI**

TO: **THE HONORABLE ROBERT D. DRAIN,  
UNITED STATES BANKRUPTCY  
JUDGE:**

Dr. Michael Masiowski, individually and as putative class representative for Independent Emergency Medical Room Physicians (“ER Physician”), by and through undersigned counsel, hereby submits this Objection to Hospital Trust tender of testimony at confirmation hearing regarding Dr. Michael Masiowski. In support thereof, Dr. Michael Masiowski<sup>1</sup> states:

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<sup>1</sup> Objector, Dr. Michael Masiowski, ( “ER Physician”), timely filed his proof of claim on June 12, 2020.

1. ER Physician has not submitted any list of witnesses for the Confirmation Hearing.
2. The Hospital Trust has listed four witnesses on an Expert Rebuttal Witness List[Doc.3112] to testify as to the opinions of ER Physician, Dr. Masiowski.
3. There is no testimony to rebut. Dr. Masiowski objects to the introduction of any of this testimony as irrelevant, immaterial, prejudicial and a complete waste of judicial resources.

WHEREFORE, Emergency Room Physician respectfully submits that the Court grant the following relief:

- A. Sustain the Objections of the Independent Emergency Room Physician and prohibit Hospital Trust testimony regarding the opinions of Dr. Masiowski,;
- B. Reserve as to an award of costs and reasonable attorney fees for Independent Emergency Room Physicians for bringing this Objection; and
- C. grant such other relief as is just and proper.

Dated: August 6, 2021

Respectfully submitted,  
PAUL S. ROTHSTEIN, P.A.

/s/ Paul S. Rothstein

Paul S. Rothstein, P.A.

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*Pro Hac Vice Admitted*

*Attorney for the ER Physician Mike Masiowski*

**CERTIFICATE OF SERVICE**

I, Paul S. Rothstein, hereby certify that I caused a true and correct copy of **OBJECTION OF INDEPENDENT EMERGENCY ROOM PHYSICIAN, DR. MICHAEL MASIOWSKI, INDIVIDUALLY, AND AS PUTATIVE CLASS REPRESENTATIVE TO HOSPITAL TRUST TENDER OF TESTIMONY AT CONFIRMATION HEARING REGARDING DR. MICHAEL MASIOWSKI** to be filed with the Clerk of the Court using the CM/ECF system on August 6, 2021, which will send a notice of electronic filing to all counsel of record in this action.

/s/ Paul S. Rothstein  
Paul S. Rothstein, Esq.